

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ADRIENNE B. ELLIS

*

Plaintiff

*

v.

* **Case No.: 8:17-cv-00770-TJS**

IPTV-B-CB OXON HILL, LLC, et al

*

Defendants

*

* * * * *

ANSWER & JURY DEMAND

Comes now the Defendants, CBRE, Inc. (incorrectly named CBRE Real Estate Management) and Trammell Crow Services, Inc., by and through its attorneys, Courtney D. Thornton, and the Law Offices of Schenker, Krause & Lopez, in accordance with the Maryland Rules of Procedure in Answer to the Complaint filed herein and states:

FIRST DEFENSE

The Complaint must be dismissed for the failure to state a claim upon which relief can be granted. (Maryland Rule 2-322(b) (2);

SECOND DEFENSE

The defendants deny generally the claims and allegations asserted in the Complaint. (Maryland Rule 2-323(d));

THIRD DEFENSE

The defendants affirmatively assert the defense of assumption of risk (Maryland Rule 2-323(g)(3);

FOURTH DEFENSE

The defendants affirmatively assert the defense of collateral estoppel as a defense to a claim (Maryland Rule 2-323(g)(4);

FIFTH DEFENSE

The defendants affirmatively assert the defense of contributory negligence (Maryland Rule 2-323(g)(5);

SIXTH DEFENSE

The defendants affirmatively assert the defense of res judicata (Maryland Rule 2-323(g)(13);

SEVENTH DEFENSE

The defendants affirmatively assert the defense of the Statute of Limitations and asserts that the claims of the plaintiff are barred by virtue of the application of the Statute of Limitations under Maryland Rule 2-323(g)(15);

EIGHTH DEFENSE

The defendants affirmatively assert the defense of waiver (Maryland Rule 2-323(g)(18);

NINTH DEFENSE

The defendants affirmatively assert the defense of privilege (Maryland Rule 2-323(g)(19);

TENTH DEFENSE

The defendants raise the negative defense under Maryland Rule 2-323(f)(1) of the legal existence of a party;

ELEVENTH DEFENSE

The defendants raise the negative defense under Maryland Rule 2-323(f)(2) of the capacity of the Defendants to be sued;

TWELFTH DEFENSE

The defendants raise the negative defense under Maryland Rule 2-323(f)(3) of the authority of a party to sue or to be sued in a representative capacity;

THIRTEENTH DEFENSE

The plaintiff's injuries were caused by person or persons over which the defendant had no control;

FOURTEENTH DEFENSE

The defendants deny agency, employment, respondent superior and vicarious liability as alleged;

FIFTEENTH DEFENSE

The defendants did not commit the wrongs alleged;

SIXTEENTH DEFENSE

The plaintiff is not entitled to maintain the cause of action on the grounds that the plaintiff has not met the statutory prerequisites and is barred from a recovery as alleged;

SEVENTEENTH DEFENSE

The defendants deny generally the claims and allegations asserted in the Complaint and specifically deny all averments made by the plaintiff except those specifically admitted.

Wherefore, Defendants CBRE, Inc. (incorrectly named CBRE Real Estate Management) and Trammell Crow Services, Inc., respectfully request that the Plaintiff's Complaint be dismissed with costs.

Respectfully submitted,

/s/

Courtney D. Thornton #07242
Schenker, Krause & Lopez
600 Red Brook Blvd., Suite 650
Owings Mills, Maryland 21117
410-559-2409
Courtney.Thornton@zurichna.com
*Attorneys for Defendants CBRE, Inc. and Trammell
Crow Services, Inc.*

JURY DEMAND

The Defendants, CBRE, Inc. (incorrectly named CBRE Real Estate Management) and Trammell Crow Services, Inc. hereby demand a trial by jury as to all issues stated above.

/s/

Courtney D. Thornton

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of August 2017 a copy of the foregoing was electronically filed and served on:

Shawn M. Poe
Eight Post Office Road
Waldorf, Maryland 20602-2709
Attorney for Plaintiff

Matthew T. Angotti
Anderson, Coe & King
7 St. Paul Street, Suite 1600
Baltimore, MD 21202
Attorney for Defendant IPTV-B-CB-Oxon Hill

/s/
Courtney D. Thornton